



1
2
3
Entered on Docket
February 25, 2010

4
5
6
7
8
9
10
11
12
13
14
15
16
17
18
19
20
17
18
19
20
21
22
23
24
25
26
27
28
Bruce A. Markell

Hon. Bruce A. Markell
United States Bankruptcy Judge

JORGE L. SANCHEZ, ESQ.
Nevada Bar No. 10434
SANCHEZ LAW GROUP, LTD.
900 South Fourth Street, Suite 101
Las Vegas, Nevada 89101
Phone (702) 635-8529
Fax (702) 537-2800
E-mail jsanchez@sanchezlawgroup.net
Attorney for Debtors

UNITED STATES BANKRUPTCY COURT

DISTRICT OF NEVADA

In re:) BK-09-25947-BAM
UBALDA BANDA) CHAPTER 13
and)
JUAN CARLOS REYNOSO) **ORDER GRANTING MOTION TO VALUE**
Debtor(s)) **DEBTOR' NON-PRINCIPAL RESIDENCE**
) **REAL PROPERTY, TO MODIFY THE RIGHTS**
) **OF PARTIALLY SECURED AND WHOLLY**
) **UNSECURED LIENHOLDERS AND OBJECTION**
) **TO LIENHOLDERS' PROOF(S) OF CLAIM, IF**
) **ANY**
)
) DATE: November 19, 2009
) TIME: 2:30 p.m.
) ESTIMATED TIME FOR HEARING: 10 min

Debtors' Motion to Value Debtors' Non-Principal Residence Real Property pursuant to
11 U.S.C. § 506(a), and § 1322, and Bankruptcy Rules 3012 and 9014, having been duly filed
and served on BANK OF AMERICA and ONEWEST BANK, having come before this Court for
hearing on the date and at the time set forth above with Debtors appearing by and through their

1 legal counsel Jorge L. Sanchez, Esq., of the law firm of Sanchez Law Group, Ltd., and the
2 named lien holders/lenders/servicers not having appeared or otherwise having responded, and
3 good cause appearing therefore;

4 IT IS HEREBY ORDERED THAT:

5 1. The value of Debtor's real property located at as 652 Poana Avenue, Las Vegas,
6 NV 89032 was \$130,482.00 on the filing date of Debtor's Petition;

7 2. The first mortgage lien of BANK OF AMERICA is secured only to the extent of
8 \$130,482.00;

9 3. The second mortgage lien of ONEWEST BANK is hereby avoided and
10 extinguished upon completion of the Debtors' Chapter 13 plan;

11 4. The non-secured portion of BANK OF AMERICA's first mortgage loan and the
12 entire second mortgage loan of ONEWEST BANK shall be reclassified as general unsecured
13 claims to be paid pro rata with other general unsecured creditors through the Debtors' Chapter 13
14 plan; and

15 5. The Proofs of Claim, if any, filed by BANK OF AMERICA and ONEWEST
16 BANK are hereby modified to reflect the secured/unsecured status set forth herein.

17 6. In the event the instant Chapter 13 matter is dismissed or converted to a Chapter
18 7, the instant Order shall be vacated.

19 DATED: February 23, 2010

20 Respectfully Submitted:

21 /s/Jorge L. Sanchez, Esq. /s/
22 Jorge L. Sanchez, Esq.
23 Attorney for Debtor

RULE 9021 COMPLIANCE

In accordance with LR 9021, counsel submitting this document certifies as follows (check one):

____ The court has waived the requirement of approval under LR 9021.

X This is a chapter 7 or 13 case, and either with the motion, or at the hearing, I have delivered a copy of this proposed order to all counsel who appeared at the hearing, any unrepresented parties who appeared at the hearing, and each has approved or disapproved the order, or failed to respond, as indicated below [list each party and whether the party has approved, disapproved, or failed to respond to the document]:

BANK OF AMERICA [Failed to Respond (did not attending hearing)]

ONEWEST BANK [Failed to Respond (did not attending hearing)]

____ This is a chapter 9, 11, or 15 case, and I have delivered a copy of this proposed order to all counsel who appeared at the hearing, any unrepresented parties who appeared at the hearing, and each has approved or disapproved the order, or failed to respond, as indicated below [list each party and whether the party has approved, disapproved, or failed to respond to the document]:

I certify that I have served a copy of this order with the motion, and no parties appeared or filed written objections.

####